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Human rights and cultural diversity

Report of the Secretary-General**

Addendum

I. Introduction

Subsequent to the submission of the report of the Secretary-General, in accordance with General Assembly resolution 56/156 of 19 December 2001, additional information has been received.

II. Replies received from Governments

Ireland

[Original: English]
[2 August 2002]

The Irish Government supports the United Nations initiatives in the area of human rights and cultural diversity and views establishing respect for cultural diversity as potentially the most powerful means to combat racism and xenophobia. Recognizing that an integral part of a strategy to combat racism is the building of an inclusive society where respect for cultural diversity is the norm, the Government of Ireland has launched the following initiatives:

- The National Anti-Racism Awareness Programme, "Know Racism". One of the key messages of the programme is that Ireland is increasingly a multicultural society, and this is a strength. Actions taken under the programme include funding a television series showing the many different

* A/57/150.
** This report is submitted upon receipt of responses from Governments.

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cultures now present in Ireland. A video edition of the series, suitable for use in schools, is under preparation. The programme also distributed to every household in the country a leaflet entitled "What you can do against racism". It calls on people to, among other things, extend a hand of friendship to persons of different cultural backgrounds and to teach children to respect different cultures.

- Following the World Conference against Racism, a national action plan against racism is under preparation. The aim of the planning process is to produce a strategy for tackling racism and for promoting an inclusive society. The Government has produced a discussion document entitled "Towards a national action plan against Racism in Ireland" to provide information to the public about the plan.

- The recently published Programme for Government includes the following commitments:

  (a) To enhance the excellent work which is currently under way in our schools to educate for diversity and promote tolerance;

  (b) To appoint an expert group on managing cultural change to advise the Government on strategy and an integrated approach to this complex issue.

Ireland recognizes that the challenge of asserting cultural diversity and variation without compromising cultural identity is one which all societies face. Ireland believes that the United Nations system offers a means to address this at an international level and that these efforts should be encouraged and supported.

Kuwait

[Original: Arabic]
[8 August 2002]

The delegation of Kuwait wishes to report that Kuwaiti society is tolerant and upholds cordiality and peace, as well as respect for human rights, fundamental freedoms and cultural diversity.

The State of Kuwait values and respects all cultures and religions. There is no discrimination on grounds of religion, race or language in Kuwait, as long as that does not run counter to public order and the prevailing values in the State.

Taking the foregoing as a starting point, the State of Kuwait has endeavoured to draw up legislation that is in accordance with these values and principles. The Constitution of Kuwait attaches to cultural activities the importance they deserve, and they are regarded as one of the fundamental values of Kuwaiti society, as is reflected in article 14 of the Constitution, which provides that the State has to protect science, literature and art and encourage scientific research.

Likewise, the State of Kuwait makes an effort to participate in international conferences and meetings dealing with these issues, the most recent of which was the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001.

As an indication of the interest of the State of Kuwait in cultural activities, mention may be made of the establishment of many cultural and scientific

institutions dealing with activities of this kind, in conformity with the stated objectives, so that all citizens without exception may benefit from the activities and services they offer. Examples are:

1. The National Council for Culture, the Arts and Literature, which supports many cultural and literary activities and is responsible for supervising cultural festivals, particularly the Al-Qarin Cultural Festival, which is held annually in the State of Kuwait, is participated in by many countries and is the occasion for cultural activities;

2. The Foundation for Scientific Progress, which offers an annual prize for the most outstanding reports and books published throughout the world on the sciences, literature, the arts and culture;

3. The State of Kuwait promotes the holding in Kuwait of cultural weeks of other countries, under the supervision of their accredited embassies in the State of Kuwait, with a view to introducing Kuwaiti society to the cultures of those countries;

4. The State of Kuwait endeavours to organize cultural activities and weeks in other countries in order to familiarize their citizens with the culture of Kuwaiti society and to bring peoples closer together.

Russian Federation

[Original: Russian]
[15 July 2002]

A comprehensive State programme for the protection and development of traditional folk culture has been drawn up in the Russian Federation which includes measures for the study, compilation and popularization of the best examples of spiritual culture. Every year, hundreds of ethnic holidays and festivals are held at which there are exhibitions and fairs of ethnic arts and crafts, costumes and instruments, as well as creative workshops and laboratories.

The Russian Federation is participating actively in the implementation of the UNESCO project "Masterpieces of the oral and intangible heritage of humanity". The first list, announced in May 2001, includes the Russian candidate — the ethnocultural phenomenon of the "Semeiskie" Old Believers (Buryatia). The Russian Federation will also be submitting a candidate for consideration for the second list of masterpieces (2003).

The Russian Federation participates in international conferences and regional seminars on the implementation of the UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore (1989). Two such seminars have taken place in the territory with the Russian Federation, in October 1999 in Velikii Novgorod for the countries of Eastern Europe and Asia in transition, and in August 2001 in Yakutsk for the Siberian region.

As the 1989 Recommendation is currently the only international legal instrument dealing with the intangible cultural heritage, at its recent thirty-first session the UNESCO General Conference adopted a decision on the need to draw up an international convention on protection of the intangible cultural heritage. The Ministry of Culture of the Russian Federation is currently engaging in consultations

with institutions under its jurisdiction that deal with the problem of the intangible cultural heritage on the drafting of the Russian proposals for the draft of the future convention.

At its thirty-first session, the General Conference adopted the UNESCO Universal Declaration on Cultural Diversity, in the drafting of the text of which the Russian Federation played an active part. The preamble and some articles of the Declaration include formulations proposed by the Russian Federation on the basis of the ideas of Academician D. S. Likhachev, the report of the World Commission on Culture and Development, and the provisions of the Declaration of Principles on Tolerance adopted in 1995 and co-sponsored by the Russian Federation.

With the adoption of this Declaration, there will be an additional legal mechanism in the Russian Federation for protecting the rights of compatriots abroad, in that, proclaiming that cultural rights are an integral part of human rights, the Declaration recognizes the right of all persons to express themselves and to create in the language of their choice, and particularly in their mother tongue.

Thailand

[Original: English]
[8 August 2002]

General overview

Historically, as a country located at the centre of the Indo-Chinese peninsula, Thailand has been host to people of different cultures. Thailand's indigenous peace-loving culture and the predominant Buddhist faith in Thailand, which emphasizes tolerance, patience, understanding and respect for others, have played significant roles in formulating Thai society's openness to different traditions, cultures and religions.

Under the above influences, communities of diverse cultural backgrounds in Thailand slowly developed, throughout history, the ability to welcome differences in the cultures and religious beliefs of others. The continuous interaction between the communities created a general communal spirit among Thais, where both cultural diversity and human rights are interlinked.

Legislative framework

Thailand's respect for cultural diversity and its connection to human rights is most clearly reflected in the Thailand Constitution of BE 2540 (1997), article 46, which stipulates that "persons so assembling as to be a traditional community shall have the right to conserve or restore their customs, local knowledge, arts or good culture of their community and of the nation and participate in the management, maintenance, preservation and exploitation of natural resources and the environment in a balanced and sustainable fashion as provided by law". By virtue of this article, different cultural communities in Thailand are encouraged to peacefully coexist and respect the right of others to cultural self-determination.

Policy framework

On the national and local levels, the policy of Thailand on cultural diversity has been that of assimilation to ensure the harmonious coexistence of communities

of various cultural backgrounds. Additionally, as affirmed by the Office of the National Security Council (ONSC), Thailand's present national policy on the issue of cultural diversity pursues a human-centred approach. The approach focuses on ensuring that each individual member of the society values cultural diversity as a positive social force without forsaking his or her cultural roots, which will enable him or her to adapt to the current globalization of culture.

Education on cultural diversity and human rights

As stated in the Constitution, Thailand recognizes that there is a link between cultural diversity and human rights. Thus, the Ministry of Education emphasizes imparting a kind of social awareness, by means of which human rights and cultural diversity are both respected.

Moreover, according to the Office of the National Cultural Committee, Thailand specifically encourages the preservation of local cultures by incorporating indigenous wisdom and lessons learned from local ways of life into all levels of education, including the non-formal education system. In addition, Thailand supports persons who work to preserve local cultural arts in such areas as visual arts, architecture, literature and performance art by supporting:

- Their training and their access to information
- Their interaction and exchange of experiences
- Their achievements in creating work of great cultural values.

The objective is to enable those belonging to minority cultures to achieve recognition by the general public and enrich cultural diversity in Thailand. Thus, they can become focal points within their own groups in assisting in the national preservation of cultural diversity.

Additionally, Thailand also supports intercultural activities between communities to encourage understanding and acceptance of cultural diversity, as well as the possible cultural fusion that might result from the interaction.

Finally, along with the preservation of minority cultures, the Government of Thailand also strongly supports the preservation of the Thai national mainstream culture, by supporting study and research into national culture as a whole and by promoting cultural activities nationwide.

Selected examples

The Muslim population in Southern Thailand

The Government of Thailand has been successful in ensuring that the national security policy for the Southern border provinces in Thailand does not infringe upon the provinces' predominantly Muslim population's cultural or religious identity.

To ensure that a community of a culture that is in the minority receives the same recognition as others, the Government of Thailand stresses the cultural identity of the people involved as the most important element. Thus, the Government has encouraged full local participation by the Muslim communities in the drafting of the National Security Policy for the Southern Border Provinces, as well as in its implementation and its assessment afterwards. Under this initiative, the Government

and the local community are working together to ensure that the integrity of that community's cultural and religious identity are maintained while they remain an integral part of the larger Thai community. Further details of the case study can be found in the document attached herewith.

The hill tribe people in Thailand

There are several hill tribes living in Northern Thailand, each with its own distinctive way of life. The cultural differences between the tribes and the rest of the population in Thailand are very marked owing to the fact that the tribes' cultures are strongly influenced and preserved by their lives in the mountainous areas of Thailand, which are far away from the rest of society. In recognition of this fact, the Government of Thailand tries to enable the tribes to preserve their cultures and religious beliefs in the face of social and global changes affecting Thailand. Thus, the Government encourages policies that respect the hill tribes' cultural diversity and support the preservation as well as the positive use of their local wisdom.

Conclusion

Thailand believes that, while globalization will continue to identify common universal values, in reality the world remains a community of diversity. With its potential as a social mobilization force, cultural diversity can cause great destruction by breeding intolerance, conflict and violence, or it can bring about great constructive changes by fostering tolerance, forgiveness and understanding within a society.

From experience, Thailand recognizes that it is as much an individual's right as it is a community's right to hold a cultural identity of one's choice. Thus, to ensure that cultural diversity is a source of strength and not weakness, the Government of Thailand considers the encouragement of the recognition of cultural diversity among communities a priority. As demonstrated by the examples above, cultural communities are encouraged to preserve their own culture of choice, while at the same time learning from others. Thus, Thailand's minority cultures coexist within the country's national culture as a whole, aided by human-centred legislative and policy frameworks that link human rights with cultural diversity, a comprehensive education plan, and efforts to encourage participation and interaction by all parties involved.

III. Replies received from the United Nations system

Food and Agriculture Organization of the United Nations

[Original: English]
[8 July 2002]

The Food and Agriculture Organization of the United Nations (FAO) has taken note of General Assembly resolution 56/116 that has been adopted in line with the numerous instruments within the United Nations system that promote cultural diversity.

In particular, the General Assembly recognized that cultural diversity and the pursuit of cultural development are a source of mutual enrichment — and that each

culture deserves recognition, respect and preservation, it also affirmed the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions.

The International Treaty on Plant Genetic Resources for Food and Agriculture was adopted by the FAO Conference at its thirty-first session in November 2001 and recognizes that plant genetic resources for food and agriculture are the raw materials indispensable for crop genetic improvement, whether by means of farmers' selection, classical plant breeding or modern biotechnologies, and are essential, and that the past, present and future contributions of farmers in all regions of the world, particularly those in centres of origin and diversity, in conserving, improving and making available these resources, is the basis of Farmers' Rights.

The contracting parties, aware of their responsibility to past and future generations to conserve the world's diversity of plant genetic resources for food and agriculture, recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of plant genetic resources (see art. 9.1); promote or support local communities' efforts to manage and conserve on-farm their plant genetic resources (see art. 5.1 (c)); and promote in situ conservation by supporting, inter alia, the efforts of indigenous and local communities (see art. 5.1 (d)).

There is no doubt that, in the field of biodiversity, the Treaty, which stresses the importance of saving, using, exchanging and selling farm-saved seed and other propagating material, clearly addresses cultural concepts related to those embodied in the above-mentioned resolution.

In addition, it should be observed that the Treaty includes a funding strategy to mobilize funding for priority activities, plans and programmes, in particular in developing countries and countries with economies in transition, and provides for the realization of farmers' rights by national Governments through:

- the protection of relevant traditional knowledge;
- equitable participation in sharing benefits derived from the use of plant genetic resources for food and agriculture;
- participation in national decision-making related to their conservation and sustainable use.

The text of the Treaty is available from http://www.fao.org/Legal/.

The Food and Agriculture Organization of the United Nations also acts in the field of other fundamental human rights such as the right to adequate food. Explicitly stated in the Universal Declaration of Human Rights (art. 25), this right is incorporated in the FAO Constitution, the Preamble to which identifies ensuring humanity's freedom from hunger as one of the principal reasons for the creation of the organization.

On the occasion of the World Food Summit: five years later, which took place in June 2002 at the organization's headquarters in Rome, the heads of State and Government, or their representatives, adopted the Declaration of the World Food Summit: five years later (WFS fyl 2002/3). In its Preamble, the Declaration reaffirms, inter alia, the right of everyone to have access to safe and nutritious food.

In paragraph 10 thereto, the FAO Council is invited to establish an intergovernmental working group, with the participation of stakeholders to elaborate, in a period of two years, a set of voluntary guidelines to support member States' efforts to achieve the progressive realization of the right to adequate food in the context of national food security. Furthermore, the heads of State and Government asked FAO, in close collaboration with relevant treaty bodies, agencies and programmes of the United Nations system, to assist the intergovernmental working group.

To that effect, in a paper entitled "Anti-hunger programme: reducing hunger through agricultural and rural development and wider access to food", which was presented during the **World Food Summit: five years later**, the organization proposed the launching of an **international alliance against hunger**. The alliance would mobilize political will, technical expertise and financial resources, so that every country could achieve success in reducing the number of undernourished by at least half by 2015. The particular goals of the alliance would be to strengthen global and national commitment and action to end hunger; to develop a common vision of the measures to be taken to reduce the number of hungry; and to promote the emergency of mutually beneficial partnerships between members, including Governments, communities and local institutions, international organizations, the private sector, and non-governmental organizations and civil society.

The Declaration is available from http://www.fao.org/DOCREP/MEETING/004/Y6948E.HTM.

Joint United Nations Programme on HIV/AIDS (UNAIDS)

[Original: English]
[30 July 2002]

UNAIDS recognizes that in each culture there is a dignity and value that deserves respect and preservation, and further that values and principles of justice, equality, non-discrimination, tolerance and respect must be promoted within communities and nations.

In the context of HIV/AIDS, people's cultures are taken into account when developing programmes for prevention and care. This is indispensable if behaviour patterns are to be changed on a long-term basis, a vital context for slowing down or for stopping the expansion of the epidemic.

For example, in many societies, the economic dependence and extensive illiteracy of women and girls has often resulted in sexual dependence leading to abuse, sometimes incestuous, early pregnancy and marriage, and also forced prostitution. These situations can be worsened by deeply rooted traditional value systems, especially in rural societies.

Further, culture can strongly influence gender and sexual norms. Cultures that do not promote the education and independence of women and girls can make them economically and sexually dependent upon males. Cultures that create such dependent situations may increase women's vulnerability to HIV/AIDS by disempowering them from demanding condom use. Cultures that place a high value on virginity may create an environment conducive to HIV transmission if older men are encouraged to pursue younger women.

Furthermore, men are influenced by cultural norms regarding manhood, some of which are very negative in the context of HIV. For social, cultural and economic reasons, men are often in a stronger position in their relationships with women. This gives them more control in deciding when and where to have sex, as well as whether or not to use condoms.

In order to address some of these issues, the UNAIDS secretariat, in conjunction with UNESCO, launched a project entitled "A cultural approach to HIV/AIDS prevention and care" in May 1998, with the aim of stimulating reflection and action for better application of a cultural approach, thereby grounding people's motivations towards changes in their sexual and non-sexual behaviour and building a more supportive environment for HIV/AIDS prevention and care.

Concrete action has included several subregional and regional training workshops on a cultural approach to HIV/AIDS prevention and care held in the following locations:

- Dakar, Senegal (6-8 August 2001)
- Rabat, Morocco (30 May-2 June 2001)
- New Delhi, India (2001)
- Nairobi, Kenya (2-4 October 2000)

Ongoing activities include:

- Three booklets on a cultural approach to HIV/AIDS prevention and care that are being developed in the areas of strategy and policy, project design, and field work;
- Production of training materials;
- Culturally appropriate information, education and communication (IEC) initiatives.

Notes

[1] The document *National Security Policy for the Southern Border Provinces (1999-2003)* of the Office of the National Security Council of Thailand is available for consultation upon request made to the Documentation Division of the General Assembly.